

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

AEVOE CORP.,

Plaintiff,

vs.

AE TECH. CO., et al.,

Defendants.

Case No. 2:12-cv-00053-GMN-NJK

ORDER GRANTING IN PART AND
DENYING IN PART MOTION TO
COMPEL (Docket Nos. 111, 115)

This Court held oral argument on Plaintiff's motion to compel (Docket Nos. 111, 115) on February 1, 2013. Based on the parties' submissions and the argument of counsel, and for the reasons discussed more fully at the hearing, for good cause shown, the Court hereby GRANTS in part and DENIES in part the motion as follows:

(1) The motion is granted regarding product scope. Discovery requests with references to "touch screen protectors" shall be defined as limited to "adhesive touch screen protectors with a non-adhesive, transparent window." Discovery responses using the term "accused screen protectors" shall be supplemented with responses for "adhesive touch screen protectors with a non-adhesive, transparent window."

(2) The motion is GRANTED regarding identification of custodians and document locations.

(3) The motion is GRANTED regarding production of an unredacted version of SF-00032-33.

(4) The motion is GRANTED in part and denied in part with respect to the number of interrogatories. Interrogatories 2 and 12 each constitute two interrogatories, such that Plaintiff has served 14 interrogatories.

(5) The motion is DENIED without prejudice regarding privilege disputes for

1 communications analyzing the '942 patent.

2 (6) The motion is GRANTED regarding sales and financial information (Interrogatories 3-5).

3 (7) The motion is GRANTED regarding the design-around efforts (Interrogatories 8-9,
4 Requests for Production 9-11).

5 (8) The motion is GRANTED in part and DENIED without prejudice in part with respect to
6 documents regarding the iVisor product (Request for Production 5). The motion is denied without
7 prejudice with respect to privilege issues and granted with respect to non-privileged emails.

8 (9) The motion is GRANTED regarding efforts to comply with court orders (Requests for
9 Production 14, 15, and 21).

10 (10) The motion is GRANTED regarding contracts and negotiations (Request for Production
11 19).

12 (11) The motion is GRANTED regarding the development of and communications about AE
13 Tech's products (Requests for Production 23-24).

14 (12) The motion is DENIED without prejudice regarding Plaintiff's request for fees and
15 costs. Any such motion shall be filed 10 days from the date of the hearing, with any response due
16 10 days thereafter and any reply due 3 days after any response is filed.

17 (13) Supplemental discovery responses as ordered at the hearing shall occur within 21 days
18 from the date of the hearing, with Defendants to contact the court expeditiously with any requests
19 for extensions.

20 (14) To the extent Defendants contend that they have fully complied with any disputed
21 discovery request, they shall so certify under Federal Rule of Civil Procedure 26(g).

22 IT IS SO ORDERED.

23 DATED this 5th day of February, 2013.

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26 NANCY J. KOPPE
27 United States Magistrate Judge
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